

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

**FILED**  
FEB 24 2000  
U.S. DISTRICT COURT  
BY                      CLERK'S OFFICE  
DEPUTY

JENNIFER WITTE, CELESTE §  
BLAIR-KELLY, ASHLI LEIST, DARLA §  
BLACKMON, VIKTORIA ROBERTSON, §  
CHRISTINA INNES, TINY §  
CHAMBERLAIN, MARY ANN §  
LIVENGOD, MARIA GARZA, CHANIN §  
LINDGREN, LAURA CAMPBELL, §  
and ELIZABETH GUYNES, §  
Plaintiffs, §

vs. §

NO. A 98 CA 503 SS

TEXAS BOARD OF PARDONS AND §  
PAROLES, TEXAS DEPARTMENT OF §  
CRIMINAL JUSTICE, TEXAS §  
DEPARTMENT OF CORRECTIONS, §  
DAVID TAYLOR, LINDA AMENT, §  
REBECCA ADAMS, JUDY ARNOLD, §  
and BILL MUSSER, §  
Defendants §

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FELICIA DURST and §  
CHERYL NICHOLS, §  
Intervenor-Plaintiffs, §

vs. §

TEXAS BOARD OF PARDONS AND §  
PAROLES, TEXAS DEPARTMENT OF §  
CRIMINAL JUSTICE, and §  
DAVID TAYLOR, §  
Intervenor-Defendants. §

FINAL JUDGMENT

WHEREAS all causes of action by all plaintiffs against the defendant Texas Board of Pardons and Paroles, Texas Department of Criminal Justice, Texas Department of Corrections, and David Taylor, Linda Ament, Rebecca Adams, Judy Arnold, and Bill Musser, in their official capacities, were dismissed pursuant to the Eleventh Amendment of the Constitution of the United States on December 2, 1998; and

WHEREAS all causes of action of the plaintiffs Jennifer Witte, Celeste Blair-Kelly, Ashli Leist, Darla Blackmon, Christina Innes, Tiny Chamberlain, Mary Ann Livengood, Maria Garza, Chanin Lindgren, Laura Campbell, and Elizabeth Guynes against all defendants except David Taylor were dismissed on June 7, 1999; and

WHEREAS all causes of action of the plaintiff Viktoria Robertson against all defendants except David Taylor were dismissed on June 28, 1999; and

WHEREAS an agreed interlocutory judgment was entered on September 13, 1999, in favor of Jennifer Witte, Celeste Blair-Kelly, Ashli Leist, Darla Blackmon, Viktoria Robertson, Christina Innes, Tiny Chamberlain, Mary Ann Livengood, Maria Garza, Chanin Lindgren, Laura Campbell, and Elizabeth Guynes against the defendant David Taylor in the sum of \$10,000 with each party incurring his or her own costs; and

WHEREAS on December 15, 1999, all causes of action of Felicia Durst and Cheryl Nichols were dismissed against all defendants except David Taylor as a result of settlement; and

WHEREAS as a result of a jury trial, judgment as a matter of law was rendered in favor of Linda Ament, Rebecca Adams, and Judy Arnold, in their individual capacities, and a verdict was rendered on behalf of the plaintiff Felicia Durst against David Taylor in the amount of \$700,000 in compensatory damages and \$1,500,000 in exemplary damages for a total judgment of \$2,200,000,

and a verdict was rendered in favor of Cheryl Nichols in the amount of \$400,000 in compensatory damages and \$1.5 million in exemplary damages for a total of \$1,900,000, and defendant Bill Musser and Cheryl Nichols and Felicia Durst settled their dispute; and

WHEREAS more than appropriate time has now run for any motions and for any legal proceedings to be held in this case, and the undersigned is of the opinion that a final judgment should be rendered in his cause:

IT IS ORDERED, ADJUDGED, and DECREED that the plaintiffs Jennifer Witte, Celeste Blair-Kelly, Ashli Leist, Darla Blackmon, Viktoria Robertson, Christina Innes, Tiny Chamberlain, Mary Ann Livengood, Maria Garza, Chanin Lindgren, Laura Campbell, and Elizabeth Guynes do have and recover judgment of and against the defendant David Taylor for a total amount of \$10,000, and each party is to absorb his or her own costs;

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the plaintiff Felicia Durst do have and recover judgment of and against the defendant David Taylor in the total sum of \$2,200,000, with interest of 6.287 percent per annum until paid, plus all costs of suit,

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the plaintiff Cheryl Nichols do have and recover judgment of and against the defendant David Taylor for the total sum of \$1,900,000, with interest at 6.287 percent per annum until paid, plus all costs of suit,

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the plaintiffs Jennifer Witte, Celeste Blair-Kelly, Ashli Leist, Darla Blackmon, Viktoria Robertson, Christina Innes, Tiny Chamberlain, Mary Ann Livengood, Maria Garza, Chanin Lindgren,

Laura Campbell, Elizabeth Guynes, Felicia Durst, and Cheryl Nichols TAKE NOTHING against the defendants Linda Ament, Rebecca Adams, Judy Arnold, and Bill Musser, in their individual capacities, and that all causes of action against these defendants are DISMISSED WITH PREJUDICE to refiling;

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that all causes of action by all plaintiffs against the defendants Texas Board of Pardons and Paroles, the Texas Department of Criminal Justice, the Texas Department of Corrections, and the defendants Taylor, Ament, Adams, Arnold, and Musser, in their official capacities, are DISMISSED for failure of jurisdiction pursuant to the Eleventh Amendment of the Constitution of the United States;

IT IS FINALLY ORDERED that all and any further relief pleaded by any party is DENIED as this is a final judgment in this cause.

SIGNED this the 24<sup>th</sup> day of February 2000.

  
UNITED STATES DISTRICT JUDGE